



November 10, 2016

IP-WC-2016-50-03865

Don Isherwood  
6055 Isherwood Rd  
Plover, WI 54467

Dear Mr. Isherwood:

This letter contains important information regarding your DNR permit application to place habitat structure on the bed of Isherwood Lateral in Portage County. Your application has reached its date of closure and is considered complete. Wisconsin law (chapters 30 and 281, Wisconsin Statutes) requires that the public be allowed an opportunity to comment on projects like yours. The next step in the individual permit review process is a Notice of Pending Application and public comment period. In addition, a public informational hearing has been requested.

The Department has scheduled a public informational hearing on your proposal for November 29, 2016 at 1 pm at the Buena Vista Town Hall, 8864 County Road BB, Bancroft, WI 54921.

The hearing provides an opportunity for you and the Department to gather additional facts to help gauge the possible environmental impacts of your proposed project. The hearing is informational only. Department staff will manage the hearing agenda according to set procedures to allow all who attend a chance to be heard and to gather as much factual information as possible.

The enclosed document is a "Notice of Pending Application/Notice of Public Hearing" for your project. The Department will publish the notice on our Internet website. The 30-day period to submit written public comment will begin on the date on which the Department first publishes the notice on our Internet website. The period to submit written public comment will end 10 days after the date the hearing is completed.

Before the Department can proceed further toward a decision, state law requires that you:

Publish this as a Class I Notice, at your expense, in the Stevens Point Journal, 1200 Third Court, Stevens Point WI 54481-2835, [legals@cwnews.net](mailto:legals@cwnews.net), Phone (877) 943-0446, Fax (877) 943-0443. If you wish to publish this notice in additional papers like the Portage County Gazette, that would be up to you.

1. **At least 10 days prior** to the hearing date.
2. Provide the Department an Affidavit of Publication from the newspaper to prove that the notice was published.
3. Provide a copy of the enclosed notice to the parties listed below by U.S. Mail or in person. If provided by U.S. Mail, send the notice Certified Mail - Return Receipt Requested. If provided in person, obtain a signature from each party to verify that they received the notice. You may notify others at your discretion. You also must provide a copy of the notice

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Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

to any person or group who asks you to do so.

T & G Sankey- 5532 Porter Drive, Stevens Point, WI 54482  
Nalin & Daniel Finnessy – 5671 Porter Drive, Stevens Point, WI 54482  
Karen Weller & R Wesley – 6213 Hover Ave S., Plover, WI 54467  
J. Lorn & Sandra Dykes – 8472 County Road A, Almond, WI 54909

Please send me the Affidavit for proof of publication, and the Return Receipts or other signed document for proof of notification of the groups or individuals, as soon as possible.

Please write or call me at (715) 365-8910, cell (715) 409-9016 or email  
Keith.Patrick@wisconsin.gov if you have any questions.

Sincerely,



Keith Patrick  
Waterway Field Supervisor

cc: Brad Johnson- WDNR, Wausau via email  
Jon Scharbarth- WDNR, Plover via email  
Eric Norton, Project Manager Army Corps of Engineers via email  
Germaine Stuczynski, Clerk, Town of Buena Vista via email  
Paul Cieslewicz- PCDD via email  
Michael Lauterbach- Lauterback Legal, LLC via email  
Deb Dix- WDNR, Wisconsin Rapids via email  
Michael McKenna- Portage County Corp Council via email  
Christopher Clayton- DATCP via email  
Joe Behlen- WDNR, Wisconsin Rapids via email  
Dan Wierzba- REA via email  
Alan Niebur- WDNR Wausau via email  
Jason Spaeth- WDNR Wisconsin Rapids via email  
Brad Betthauser- WDNR, Wisconsin Rapids via email  
Joe Behlen- WDNR, Wisconsin Rapids via email

## Notice of Pending Application/Public Hearing for Proposed Habitat Structure

Don Isherwood, 6055 Isherwood Rd, Plover, WI 54467 has applied to the Department of Natural Resources for an after-the-fact permit to place habitat structures on the bed of Isherwood Lateral.

The project is located in the NW1/4 of the NW1/4 of Section 13, Township 22 North, Range 8 East, Town of Buena Vista, Portage County.

The project stretch runs on the Isherwood Lateral 450 to 2400 feet east of Isherwood Road. The objective of the habitat improvement was to narrow the stream, create cover, and expose gravel. The materials used were naturally occurring stream bank trees, logs and standard x-mas trees.

The Department will review the proposal provided by the applicant and any information from public comments and the public informational hearing. The Department will determine whether the proposal complies with ss. 1.11 and 30.12(3m), Stats., and ch. NR 150, Wis. Adm. Code, and ensure that the required mitigation meets the standards in s. 281.36(3r), Stats. if the project impacts wetlands.

The Department has made a tentative determination that it will issue a permit with modifications to the existing plans with permit conditions for the proposed activity.

If you would like to know more about this project or would like to see the application and plans, please visit the Department's permit tracking website at <https://permits.dnr.wi.gov/water/SitePages/Permit%20Search.aspx> and search for WP-IP-WC-2016-50-X10-11T08-24-07.

Reasonable accommodation, including the provision of informational material in an alternative format, will be provided for qualified individuals with disabilities upon request.

The public hearing is scheduled for November 29, 2016 at 1 pm at the Buena Vista Town Hall, 8864 County Road BB, Bancroft, WI 54921.

The Department scheduled a public hearing on this activity or project because the Department received a request for a public hearing. The hearing will be a public informational hearing where members of the public can learn more about the proposed activity and submit written or oral comments about the waterway and project in light of the legal standards above.

Any member of the public may submit written comments by emailing [Keith.Patrick@wisconsin.gov](mailto:Keith.Patrick@wisconsin.gov) or writing to Keith Patrick, 107 Sutliff Ave, Rhinelander, WI 54501 by U.S. mail. Comments should include the docket number or applicant name, and should relate to whether the project meets the legal standards listed above. Comments must be postmarked no later than 10 days after the date that the public informational hearing is completed in order for them to be considered.

The final decision may be appealed as indicated in the decision document.

Docket Number IP-WC-2016-50-03865

**WISCONSIN DEPARTMENT OF NATURAL RESOURCES**  
For the Secretary



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Keith Patrick  
Waterway Field Supervisor

November 10, 2016  
Date